



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
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Robert Samuel Smith  
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San Jose, CA 95126

MAILED

SEP 11 2002

Office of the Director  
Group 3600

In re Application of  
William Casey  
Application No. 09/592,095  
Filed: June 12, 2000  
For: QUICK ENGAGE/DISENGAGE  
ROPE CLEAT

:  
:  
: DECISION ON PETITION  
: TO WITHDRAW THE  
: HOLDING OF ABANDONMENT

This is a decision on applicant's petition to withdraw the holding of abandonment, filed in the United States Patent and Trademark Office (USPTO), on July 31, 2002

The petition is **DISMISSED**.

A review of the file record indicates that an Office action was mailed on December 3, 2001 wherein a three-month shortened statutory period for response was set. Since no response to the December 3, 2001 Office action was received, the application was held abandoned in the Notice of Abandonment mailed July 19, 2002.

Petitioner requests withdrawal of the holding of abandonment on the basis that a response was timely filed. Petitioner offers proof in the form of a "copy" of the response, which bears a Certificate of Transmission dated December 11, 2001. The petition further includes a statement that "According to a mailing certificate, a response was prepared last Dec. 10, 2001 and faxed to the Patent Office on Dec. 11, 2002."

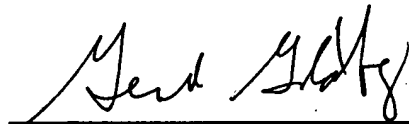
The petition is deficient. 37 CFR 1.8(b)(3) requires a statement which attests on a personal knowledge basis as to the previous timely transmission. However, the above quoted statement does not attest to the previous timely transmission. "According to a mailing certificate" does not reaffirm the previous transmission. Further, the previous submission was faxed, not mailed. Finally, the date of transmission on the original certificate is Dec. 11, 2001, not Dec. 11, 2002 as stated above.

In addition to the above noted deficiencies, the "copy" of the response bears what appears to be an original signature. Therefore, the required copy of that which was originally sent has not been submitted.

The application is being returned to Files Repository.


Any request for reconsideration must be filed within TWO MONTHS of the date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. Should petition desire reconsideration, he should submit a renewed petition which addresses the deficiencies noted above.

Telephone inquiries relative to this decision should be directed to Special Programs Examiner Kenneth Dorner at (703) 308-0866.



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Kjd: 9/5/02